

REMARKS

Favorable reconsideration of this application is respectfully requested.

Claims 1-7 are pending in this application. Claims 1-7 were rejected under 35 U.S.C. § 35 U.S.C. § 103(a) as being unpatentable over U.S. patent 6,694,354 to Elg. That rejection is traversed by the present response as discussed next.

Applicants respectfully submit the outstanding rejection is not properly addressing features positively recited in the claims. Specifically, independent claim 1 recites:

(a) obtaining an URL address containing the device driver corresponding to the peripheral device by (a1) accessing a previously generated database ***stored in the computer*** based on identification data of the peripheral device, the database ***storing URL addresses and a correspondence of the identification data of the peripheral device to the stored URL addresses***[.] [Emphasis added].

The other independent claims recite similar features. According to such features, and with reference to Figure 2 in the present specification as a non-limiting example, a computer 1 that is connected to a peripheral device 2 includes its own URL database 13. The computer 1 can operate to access that URL database 13 based on identification data of the peripheral device 2. The computer 1 can then use a URL address from the URL database 13 to obtain an appropriate device driver for the peripheral device 2.

The applied art to Elg does not disclose or suggest a ***computer itself including such a URL database***.

In addressing the above-noted features, the outstanding Office Action cites Elg stating:

See Elg's fig. 1 item 14, which indicates that part of the address is obtained from the database stored in the computer; while a portion is obtained from the device itself. Therefore, although the address is not accessed entirely from the database a portion is. It is considered merely a choice of design to obtain the address from one location entirely; since the same overall functionality is provided for. This is considered the essence of

the discussion provided in the background of Elg's invention, see col. 1 lines 23-32 and lines 50-55 (in which the peripheral device merely provides its device ID while the host uniquely identifies the location (URL)). Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention to obtain the host (previously generated database) only to acquire the URL (as specified in Elg's background) and in situations in which the driver is not located at the initial location, see col. 3 lines 59-col. 4 line 5. The feature would have been obvious to enable the host (database storing URL addresses) to obtain the desired driver, see col. 3 lines 55-58 and col. 1 lines 50-64 (which provides for information to be retrieved traditionally based on information stored on the host (database) via for example a floppy disk or CDROM (again a previously generated database) to ensure that appropriate drivers can be properly located based on their specific identification data (see col. 1 lines 23-27) to ensure that communication is enabled with the appropriate device (see col. 1 lines 27-35).<sup>1</sup>

In reply to the above-noted grounds for the rejection, applicants submit Elg simply does not disclose or suggest the above-noted claimed features and the outstanding Office Action is extrapolating from the disclosure in Elg in a way not at all suggested or obvious from the actual disclosure in Elg.

The cited disclosure in Elg as to obtaining a URL address for finding a device driver is most clearly reflected in Figures 1-3 in Elg. Elg discloses an operation in which a peripheral device 13 outputs a partial URL to a host 11, that partial URL being shown in Figure 2. That partial URL indicates where a device driver can be located, but has an omission, indicated by the asterisk "\*", for the platform/operating system identifier of the host 11. That is the case as the peripheral device 13 can be utilized with different hosts with different platform/operating system identifiers, and in Elg when that partial URL is received from the peripheral device the host 11 will insert its platform/operating system identifier to create a completed URL as shown in Figure 3.

---

<sup>1</sup> Office Action of February 25, 2009, the paragraph bridging pages 2 and 3.

In contrast to the claimed invention, applicants submit Elg does not disclose or suggest the host 11 in Elg includes a “database storing URL addresses and a correspondence of the identification data of the peripheral device to the stored URL addresses” as positively recited in claim 1. Elg does not disclose or suggest storing any such database as the host 11 in Elg only has to insert its own platform/operating system identifier into a URL already received from a peripheral device 13. In fact Elg discloses a contrary approach to obtaining a URL than as in the claimed invention. In Elg the peripheral device 13 provides all substantive information of the URL address but only omits the platform/operating system identified of the host 11, as the peripheral device 13 in Elg will not know that information as it can be used with different hosts 11. In Elg no database needs to be stored in the host 11 as the host 11 in Elg only has to insert its own platform/operating system identifier, which will be the same piece of information for each received partial URL.

Stated another way, the host 11 in Elg always inserts the same information into any received partial URL from a peripheral device 13, and thus clearly the host 11 does not store a database with a correspondence between an identification data of a peripheral device and a stored URL address. The host 11 in Elg receives the URL address and thus does not need to store a database including URL addresses.

The above-noted grounds for citing Elg somehow or other suggests a modification of Elg to meet the claimed features when in fact Elg discloses a contrary approach to generating a URL as in the claimed invention.

One basis for the outstanding rejection cites the background of Elg at column 1, lines 23-32 and 50-55. In reply to that grounds for citing Elg, applicants note that disclosure in Elg merely indicates a host operating system can include some information as to how to search for a device driver, but the subsystem may not be suitable for highly mobile peripheral devices. That disclosure in Elg does not at all indicate a computer will store a specific

“database storing URL addresses and a correspondence of the identification data of the peripheral device to the stored URL addresses,” as specifically recited in the claims.

Moreover, the specific cited disclosure in Elg at column 3, line 59 - column 4, line 5 is not even directed to an operation of utilizing a URL address. That disclosure is instead directed to generating a file name when a device driver is *not available at the referenced URL*, which “filename can then be used by the host computer to attempt to retrieve the appropriate device driver *from a storage medium* accessible to the host computer (see 15 in FIG. 1), such as a floppy disk or CD-ROM provided with the peripheral device and inserted into the host”.<sup>2</sup> That cited disclosure in Elg is directed to a contrary approach to the claimed invention in which a URL address is utilized to access a device driver. That cited disclosure in Elg is directed to an operation in which a URL address *cannot be utilized*, but instead a disk medium such as a floppy disk or CD-ROM is accessed to obtain the device driver.

In such ways the outstanding rejection misconstrues the disclosures in Elg relative to the claimed features.

In view of the foregoing comments, applicants respectfully submit the claims as currently rewritten positively recite features neither taught nor suggested by Elg, and that are in fact taught away from by Elg. Thereby, applicants respectfully submit the claims as currently written are allowable over Elg.

---

<sup>2</sup> Elg specifically at column 4, lines 1-5 (emphasis added).

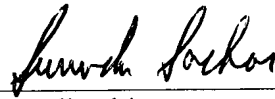
As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 03/06)

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



---

James J. Kulbaski  
Attorney of Record  
Registration No. 34,648

Surinder Sachar  
Registration No. 34,423